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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,) No. CR 11-00217
14 Plaintiff,) STIPULATION AND []
15 v.) ORDER EXCLUDING TIME FROM
16 JENNIPHER HERNANDEZ) MARCH 22, 2012, THROUGH APRIL 11,
Defendant.) 2012, FROM THE SPEEDY TRIAL ACT
CALCULATION (18 U.S.C. §
3161(h)(7)(A),(B))
18 _____)

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20 A status hearing is currently set for March 22, 2012, on the Court's calendar. Due to on-
21 going discussions between counsel about a potential resolution of the matter, the parties have
22 agreed to seek to move the hearing date to April 11, 2012, if that date is available to the Court.

23 The United States hereby submits this written request for an order finding that said time
24 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161, in that the ends of justice are served
25 by taking such action and outweigh the best interests of the public and defendant in a speedy
26 trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant such a continuance would unreasonably
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1 deny counsel for the government the reasonable time necessary for effective preparation, taking
2 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).
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4 DATED: March 20, 2012

MELINDA HAAG
United States Attorney

5
6 /s/
7 EUMI L. CHOI
Assistant United States Attorney

8 /s/
9 ROBERT LYONS
Attorney for Defendant

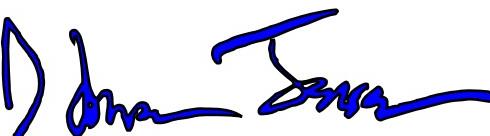
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11 **ORDER**

12 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY
13 ORDERS that the time from March 22, 2012, through April 11, 2012, is excluded under the
14 Speedy Trial Act, 18 U.S.C. § 3161. The Court finds that the ends of justice are served by taking
15 such action and outweigh the best interests of the public and defendant in a speedy trial. 18
16 U.S.C. § 3161(h)(7)(A). The failure to grant such a continuance would unreasonably deny
17 counsel for defendant the reasonable time necessary for effective preparation, taking into
18 account the exercise of due diligence. The Court therefore concludes that this exclusion of time
19 should be made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

20
21 IT IS SO ORDERED.

22 HLD/JG

23 DATED:



24 D. LOWELL JENSEN
United States District Court Judge
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